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INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

000151 NOV 30 08

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB 05/10/18-1516

And 05/10/18-1516-01

ELECTIONS, UNIT: V-536200

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL  
PARCELS AFFECTED BY THIS ORDER ARE SHOWN ON  
EXHIBIT (S) B WHICH IS/ARE ATTACHED  
TO AND A PART OF THIS ORDER.

REPORT OF BOARD

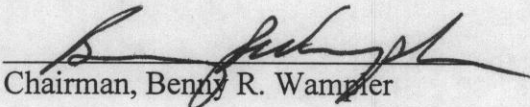
FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on April 18, 2006, and recorded Instrument #200601773 at the Office of the Clerk of Circuit Court, Wise County, Virginia on April 28, 2006, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
  - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
  - (b) The designated operator filed its affidavit of mailing dated May 11, 2006, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

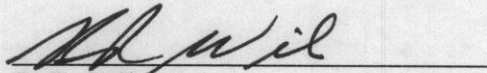
- 000132 NOV 30 2006
- (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated July 24, 2006, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;
  - (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
  - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
  4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
  5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
  6. Effective Date: This Order shall be effective on the date of its execution.



DONE AND EXECUTED this 29<sup>th</sup> day of October, 2006, by a majority of the Virginia Gas and Oil Board.

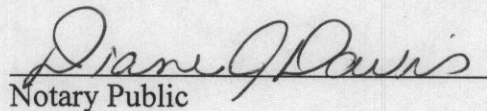
  
Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 15<sup>th</sup> day of November, 2006 by Order of this Board.

  
B. R. Wilson  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA )  
COUNTY OF Washington

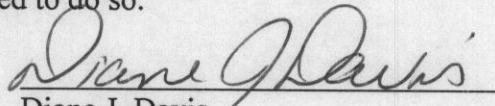
Acknowledged on this 29<sup>th</sup> day of October, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Notary Public

My commission expires: 9-30-09.

STATE OF VIRGINIA )  
COUNTY OF Washington

Acknowledged on this 15<sup>th</sup> day of November, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires: 9-30-09.

**VIRGINIA:**

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

000154 NOV 30 08

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number V-536200 VGOB Docket No. VGOB-05/10/18-1516 & 05/10/18-1516-01 in the Lipps Magisterial District of Wise County, Virginia.

**AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER**

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on April 18, 2006, by the Virginia Gas and Oil Board regarding the captioned Conventional Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on April 28, 2006.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

**TRACT**

1

**NAME**

John D. & Joanna Baker h/w

**ELECTION**

Participation



6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, as unknown or/unlocatable.

NONE

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>Tracts</u>	<u>Payee</u>	<u>Cash Consideration</u>
2	Buster Brown Apparel, Inc. ATTN: Randy Belcher P.O. Box 5008 Chattanooga, TN 37406	0.5100 X \$5.00 = \$2.55
3	Wise County School Board P.O. Box 1217, Wise, Virginia 24293	4.4400 X \$5.00 = \$22.20

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are not required in this matter pursuant to the terms of §§ 45.1-361.21.D.

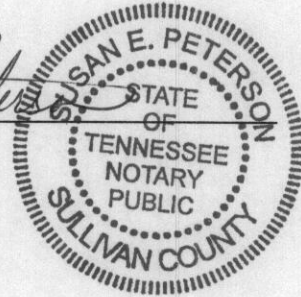
Dated at Kingsport, Tennessee, this 26th day of July 2006.

[Signature]  
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable  
Production Company, a corporation, on behalf of the corporation, this 27<sup>th</sup> day of  
July 2006.

My commission expires: 11-12-08

Susan Peterson  
Notary





**EXHIBIT "B"**  
**V-536200**  
**VGOB 05/10/18-1516**

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>
<b><u>Gas Estate Only</u></b>					
<b>1</b> #006116	<b><u>D.C. Baker Heirs</u></b> John D. Baker & Joanna Baker, h/w P.O. Box 5273, Kingsport, TN 37663	Elected to Participate	11.106000%	12.5140	0.11106000 WI
	Margaret Korn & Lyle A. Korn, w/h 2733 Connecticut Ave. NW Washington D.C. 20008	Leased 905936.03	11.106000%	12.5140	0.01388250 RI
	Mickey B. Hicks, widow 176 Robin Circle, Bristol, VA 24202	Leased 905936.02	11.106000%	12.5140	0.01388250 RI
	Delores Vicars, widow P.O. Box 2055 Coeburn, VA 24230	Leased 905936.04	11.106000%	12.5140	0.01388250 RI
	June B. Belcher & E. Russell Belcher, w/h By POA Russell D. Belcher, 2420 Evans Drive, Silver Springs, MD 20902	Leased 905936.01	11.106000%	12.5140	0.01388250 RI
	Equitable Production Company				0.38871000 WI
<b>Tract 1 Totals</b>			55.53000000%	62.5700	0.55530000
<b>2</b> #037823	<b>Buster Brown Apparel, Inc.</b> ATTN: Randy Belcher P.O. Box 5008 Chattanooga, TN 37406	Unleased	0.45000000%	0.5100	0.00056250 RI
	Equitable Production Company				0.00393750 WI
<b>Tract 2 Totals</b>			0.45000000%	0.5100	0.00450000
<b>3</b> #021428	<b>Wise County School Board</b> P.O. Box 1217, Wise, Virginia 24293	Unleased	3.94000000%	4.4400	0.00492500 RI
	Equitable Production Company				0.03447500 WI
<b>Tract 3 Totals</b>			3.94000000%	4.4400	0.03940000

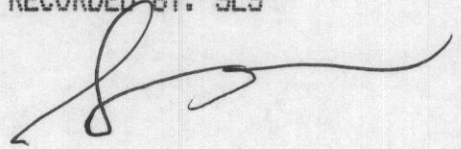
**EXHIBIT "B"**  
**V-536200**  
**VGOB 05/10/18-1516**

000158 NOV 30 2006

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>
<b>4</b> #005106	Johnny Wayne Moore & Betty Sue Moore, h/w P.O. Box 1192, Coeburn, Virginia 24230	Leased	0.09000000%	0.1000	0.00011250 RI
	Equitable Production Company				0.00078750 WI
<u>Tract 4 Totals</u>			0.09000000%	0.1000	0.00090000
<b>5</b> #032931	ACIN LLC / WBRD Attn: John Mooney P.O. Box 2827 Huntington, WV 25727	Leased 904576	39.99000000%	45.0700	0.04998750 RI
	Equitable Production Company				0.34991250 WI
<u>Tract 5 Totals</u>			39.99000000%	45.0700	0.39990000
<b>Total Gas Estate</b>			<b>100.00000000%</b>	<b>112.6900</b>	<b>1.00000000</b>

INSTRUMENT #200605042  
RECORDED IN THE CLERK'S OFFICE OF  
WISE COUNTY ON  
NOVEMBER 30, 2006 AT 11:55AM  
J. JACK KENNEDY, JR., CLERK

RECORDED BY: SLS





Instrument Control Number

**Commonwealth of Virginia**  
**Land Record Instruments**  
**Cover Sheet - Form A**

000149 NOV 30 06

[ILS VLR Cover Sheet Agent 1.0.83]

INSTRUMENT #200605042  
 RECORDED IN THE CLERK'S OFFICE OF  
 WISE COUNTY ON  
 NOVEMBER 30, 2006 AT 11:55AM  
 J. JACK KENNEDY, JR., CLERK

RECORDED BY: *RLS*

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Date of Instrument: [11/09/06 ]

Instrument Type: [ORDER ]

Number of Parcels [ 1 ]

Number of Pages [ 8 ]

City ☐ County ☒ [Wise County ]

## First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Gas and Oil Bo ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]

## First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[Baker ]	[John ]	[D ]	[ ]
[Baker ]	[Joanna ]	[ ]	[ ]

Grantee Address (Name) [Equitable Production Company ]  
 (Address 1) [Cloverleaf Square ]  
 (Address 2) [ ]  
 (City, State, Zip) [Big Stone Gap ] [VA ] [24219 ]  
 Consideration [0.00 ] Existing Debt [0.00 ] Assumption Balance [0.00 ]

Prior Instr. Recorded at: City ☒ County ☐ [Wise ] Percent. in this Juris. [ 100 ]  
 Book [ ] Page [ ] Instr. No [200601773 ]  
 Parcel Identification No (PIN) [V-536200 ]  
 Tax Map Num. (if different than PIN) [006116 ]  
 Short Property Description [Supplemental Order ]  
 Current Property Address (Address 1) [ ]  
 (Address 2) [ ]  
 (City, State, Zip) [ ] [ ] [ ]

Instrument Prepared By [DMME ]  
 Recording Paid for By [DMME ]  
 Return Recording To (Name) [Diane Davis ]  
 (Address 1) [Division of Gas and Oil ]  
 (Address 2) [P. O. Box 1416 ]  
 (City, State, Zip) [Abingdon ] [VA ] [24212 ]  
 Customer Case ID [Supp V-536200 ] [ ] [ ]



Instrument Control Number

**Commonwealth of Virginia  
Land Record Instruments  
Continuation Cover Sheet  
Form B**

[ILS VLR Cover Sheet Agent 1.0.83]

000150 NOV 30 2006

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Date of Instrument: [11/09/06 ]

Instrument Type: [ORDER ]

Number of Parcels [ 1]

Number of Pages [ 8]

City ☐ County ☒ [Wise County ] (Box for Deed Stamp Only)

**Grantors/Grantees/Parcel Continuation Form B**

Last Name	First Name	Middle Name or Initial	Suffix
<input type="checkbox"/> [Buster	<input type="checkbox"/> [Brown Apparel	<input type="checkbox"/> [	<input type="checkbox"/> [
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Prior Instr. Recorded at: City ☐ County ☐ [ ] Percent. in this Juris. [ ]

Book [ ] Page [ ] Instr. No [ ]

Parcel Identification No (PIN) [ ]

Tax Map Num. (if different than PIN) [ ]

Short Property Description [ ]

[ ]

Current Property Address (Address 1) [ ]

(Address 2) [ ]

(City, State, Zip) [ ] [ ] [ ]

